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3. *Amendment of section 3, Madras Act XXVII of* 1949.—In sub-clause (i) of clause (*b*) of sub-section (1) of section 3 of the principal Act, for the words " the State Government ", the words " the District Collector " shall be substituted.

4. *Amendment of section 5, Madras Act XXVII of* 1949.—In the Explanation to sub-section (1) of section 5 of the principal Act, for the words " the State Government ", the words " the District Collector " shall be substituted.

5. *Savings.*—Any declaration made by the State Government by notification in the *Fort St. George Gazette* under clause (iii) of sub-section (2) of section 1 of the principal Act before the date of the commencement of this Act shall be deemed to be a declaration made by the District Collector by notification in the District Gazette under clause (iii) aforesaid as substituted by this Act.

APPENDIX VI.

[Vide item III (4) on page 19 supra.]

L.A. BILL No. 20 OF 1960.

(As passed by the Assembly.)

A Bill further to amend the Madras Places of Public Resort Act, 1888.

WHEREAS it is expedient further to amend the Madras Places of Public Resort Act, 1888 (Madras Act II of 1888), for the purposes hereinafter appearing;

BE it enacted in the Eleventh Year of the Republic of India as follows :—

1. *Short title.*—This Act may be called the Madras Places of Public Resort (Amendment) Act, 1960.

2. *Substitution of new sections for sections* 1 *and* 2, *Madras Act II of* 1888.—For sections 1 and 2 of the Madras Places of Public Resort Act, 1888 (Madras Act II of 1888), (hereinafter referred to as the principal Act), the following sections shall be substituted, namely :—

" 1. *Short title and commencement.*—(1) This Act may be called the Madras Places of Public Resort Act, 1888.

(2) (*a*) It shall come into force at once in every municipality constituted or deemed to have been constituted under the Madras District Municipalities Act, 1920 (Madras Act V of 1920).

(*b*) The State Government may, by notification, extend all or any of the provisions of this Act to any other local area in the State except the City of Madras from such date as may be specified in such notification and may cancel or modify and such notification.

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2. *Definitions.*—In this Act, unless the context otherwise requires—

(*a*) ' building ' includes any house, hut, shed or roofed enclosure;

(*b*) ' executive authority ' means the executive authority as defined in clause (8-C) of section 3 of the Madras District Municipalities Act, 1920 (Madras Act V of 1920).''

3. *Amendment of section* 3, *Madras Act II of* 1888.—In clause (*b*) of section 3 of the principal Act, for the words " or of a panchayat classified by the State Government as a major panchayat ", the words, figures, brackets and letter " or of a Panchayat classified as a Class I panchayat under clause (*a*) of sub-section (1) of section 5 of the Madras Village Panchayats Act, 1950 (Madras Act X of 1950), or as a town panchayat under the Madras Panchayats Act, 1958 (Madras Act XXXV of 1958) " shall be substituted.

4. *Amendment of section* 5, *Madras Act II of* 1888.—In section 5 of the principal Act,—

(i) for the words " to the Chairman of the Municipal Council ", the words " to the executive authority " shall be substituted;

(ii) for the words " to any Magistrate ", the words " to any revenue officer not below the rank of Tahsildar " shall be substituted.

5. *Amnedment of section*, 9, *Madras Act II of* 1888.—In section 9 of the principal Act, after clause (*c*), the following clause shall be added, namely :—

" (*d*) that any condition of the licence has been contravened."

6. *Amendment of section* 10, *Madras Act II of* 1888.—In section 10 of the principal Act,—

(i) in sub-section (1), for the words " Magistrate of the district ", the words " Collector of the district " shall be substituted;

(ii) in sub-section (3), for the words " Subdivisional Magistrate, or if the original order was made by a Subdivisional Magistrate, to the Magistrate of the district ", the words " Revenue Divisional Officer, or if the original order was made by a Revenue Divisional Officer, to the Collector of the district " shall be substituted.

7. *Amendment of section* 11, *Madras Act II of* 1888.—In section 11 of the principal Act, for the words " any Magistrate or Officer of Police ", the words " any revenue officer not below the rank of Tahsildar or any officer of police " shall be substituted.

8. *Amendment of section* 12, *Madras Act II of* 1888.—In section 12 of the principal Act and in the marginal note thereto, for the words " District Magistrate ", the words " Collector of the district " shall be substituted.

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9. *Amendment of sections 13-A and 13-C, Madras Act II of 1888.*—In section 13-A and section 13-C of the principal Act, for the words, figures and brackets " section 1, sub-section (3) ", the words, figures, brackets and letter " section 1, sub-section (2) (b) " shall be substituted.

10. *Insertion of new section 13-D in Madras Act II of 1888.*—After section 13-C of the principal Act, the following shall be inserted, namely :—

" 13-D. *Act not to apply to church, temple, mosque, etc.*—Nothing in this Act shall apply to any church, temple, mosque or other place of public worship."

11. *Amendment of section 14, Madras Act II of 1888.*—Section 14 of the principal Act shall be renumbered as sub-section (1) of that section and after the sub-section as so renumbered, the following sub-section shall be added, namely :—

" (2) All rules made under this Act shall, as soon as possible after they are made, be placed on the table of both Houses of the Legislature and shall be subject to such modifications by way of amendment or repeal as the Legislature may make either in the same session or in the next session."

12. *Repeal.*—(1) Any law corresponding to the principal Act as amended by this Act in force in the transferred territory immediately before the date of the commencement of this Act including the Travancore-Cochin Places of Public Resort Act, 1951 (Travancore-Cochin Act VIII of 1951), (hereinafter in this section referred to as the corresponding law), shall stand repealed on the date of such commencement.

(2) The repeal by sub-section (1) of the corresponding law shall not affect—

(*a*) the previous operation of the corresponding law or anything done or duly suffered thereunder; or

(*b*) any right, privilege, obligation or liability acquired, accrued or incurred under the corresponding law; or

(*c*) any penalty, forfeiture or punishment incurred in respect of any offence committed against the corresponding law; or

(*d*) any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as aforesaid;

and any such investigation, legal proceeding or remedy may be instituted, continued or enforced and any such penalty, forfeiture or punishment may be imposed as if this Act had not been passed.

(3) Subject to the provisions of sub-section (2), anything done or any action taken, including any appointment or delegation made, notification, order, instruction or direction issued, rule framed, or licence granted under the corresponding law shall be deemed to

have been done or taken under the principal Act as amended by this Act and shall continue to have effect accordingly, unless and until superseded by anything done or any action taken under the principal Act as amended by this Act.

(4) Unless the context otherwise requires, the Madras General Clauses Act, 1891 (Madras Act I of 1891), shall apply for the interpretation of the principal Act as amended by this Act and as in force in the transferred territory.

(5) For the purpose of facilitating the application of the principal Act as amended by this Act in the transferred territory, any court or other authority may construe the principal Act as amended by this Act with such alterations not affecting the substance as may be necessary or proper to adopt it to the matter before the court or other authority.

(6) Any reference to the corresponding law in any law which continues to be in force in the transferred territory after the date of the commencement of this Act shall, in relation to that territory, be construed as a reference to the principal Act as amended by this Act.

(7) Any reference, by whatever form of words, in any law which continues to be in force in the transferred territory to any authority competent at the date of the commencement of this Act to exercise any powers or discharge any functions in the transferred territory shall, where a corresponding new authority has been constituted by or under the principal Act as amended by this Act, have effect as if it were a reference to that new authority.

(8) (*a*) If any difficulty arises in giving effect to the provisions of this Act or of the principal Act as amended by this Act, the State Government as occasion may require, may by order, do anything which appears to them necessary for the purpose of removing the difficulty.

(*b*) All orders made under clause (*a*) shall, as soon as possible after they are made, be placed on the table of both Houses of the Legislature and shall be subject to such modifications by way of amendment or repeal as the Legislature may make either in the same session or in the next session.

Explanation.—For the purposes of this section—

(1) the expression " date of the commencement of this Act " means—

(i) in relation to any municipality, the date on which this Act is published in the *Fort St. George Gazette;* and

(ii) in relation to any other local area, the date specified in the notification under section 1, sub-section (2) (*b*) of the principal Act as amended by this Act;

(2) the expresion " transferred territory " means the Kanyakumari district and the Shencottah taluk of the Tirunelveli district.

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MEMORANDUM REGARDING DELEGATED LEGISLATION.

Clause 12 (8) (*a*) of the Bill empowers the Government to make any order for the purpose of removing any difficulty which may arise in giving effect to the provisions of the Bill when enacted or of the Principal Act as amended by the Bill when enacted. The powers delegated are normal and not of an exceptional character.

APPENDIX VII.

[Vide item III (5) on page 20 supra.]

L.A. BILL No. 22 OF 1960.

(As passed by the Assembly.)

A Bill further to amend the Madras Nurses and Midwives Act, 1926, *and to extend that Act to the transferred territory in the State of Madras.*

WHEREAS it is expedient further to amend the Madras Nurses and Midwives Act, 1926 (Madras Act III of 1926), for the purposes hereinafter appearing and to extend that Act to the transferred territory in the State of Madras;

BE it enacted in the Eleventh Year of the Republic of India as follows :—

1. *Short title.*—This Act may be called the Madras Nurses and Midwives (Amendment) Act, 1960.

2. *Substitution of new long title and new preamble for the long title of, and the preamble to, Madras Act III of* 1926.—For the long title of, and the preamble to, the Madras Nurses and Midwives Act, 1926 (Madras Act III of 1926) (hereinafter referred to as the principal Act), the following shall be substituted, namely :—

" *An Act to provide for the registration of nurses, midwives, health visitors, auxiliary nurse-midwives and dhais in the State of Madras.*

WHEREAS it is expedient to provide for the registration of nurses, midwives, health visitors, auxiliary nurse-midwives and dhais in the State of Madras;

IT is hereby enacted as follows :—".

3. *Amendment of section* 1, *Madras Act III of* 1926.—In sub-section (2) of section 1 of the principal Act, for the words " Presidency of Madras ", the words " State of Madras " shall be substituted.

4. *Amendment of section* 2, *Madras Act III of* 1926.—For clause (*e*) of section 2 of the principal Act, the following clause shall be substituted, namely :—

" (*e*) ' Register ' means a register maintained under this Act and ' registered ' means registered or deemed to be registered under this Act ".